IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 669 OF 2006

Sangram Ramdaur Yadav ...Petitioner.

V/s

The State of Maharashtra
Through Sakinaka Police
Station, Mumbai - 72. ....Respondents.

Mr. Gavnekar i/b Sunil Singh for the petitioner.

Ms M.M. Deshmukhj, APP for the State.

CORAM: V.M. KANADE, J.

DATE: 16th February, 2006

P.C.

1. Heard the learned Counsel for the petitioner and the learned APP for the State.

2. The petitioner has an apprehension that he is likely to be arrested in connection with an offence punishable under section 342, 506(II), 504 read with section 34 of the Indian Penal Code. It is alleged that the complainant who is a driver of one Bhagwat Rai was assaulted by the petitioner and others. In the complaint, it is alleged that there is a dispute between the members of the Trust and the petitioner and complainant's employer are both trustees and several cases are pending in the court which have been

filed against each other by them. It is alleged that the petitioner gave fist blows and kick blows to the complainant, whereas one other person assaulted the complainant on his head with the rod. The other accused are released on bail.

3. It is an admitted position that there is a rivalry between the petitioner and the complainant's employer in respect of the Trust and its properties. Considering the nature of allegations which are made against the present petitioner, in my view, the custodial interrogation of the petitioner is not necessary. The petitioner, therefore, in the event of his arrest in connection with the offence which is registered under section 324, 506(II), 504 read with section 34 of the Indian Penal Code vide C.R. No. 24 of 2006 at Sakinaka Police Station be released on bail in the sum of Rs 5000/- with one or two sureties in the like amount.

4. Application is accordingly disposed of.

V.M. KANADE, J.